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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,672	08/06/2002	Cheng-Shing Lai	IACP0017USA	5329

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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION  
P.O. BOX 506  
MERRIFIELD, VA 22116

EXAMINER
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DEGRANO, BRIAN L

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/064,672	LAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian L. DeGrano	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. In view of applicant's amendment filed on 10/31/2006, the status of the application is still pending with reference to claims 1-10.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted info ([0004] of specification) in view of Barber et al. (US Patent No. 6,799,030, hereinafter, Barber et al.

- Regarding claim 1, the admitted info discloses a computer system that receives voice sounds ([0004] – voice sounds recorded via microphone), converts the voice sounds to a voice packet ([0004] – sound card converts the analog voice signal to digital data), and then sends the voice packet ([0004] – packet is sent to another user).

The admitted info does not disclose that the packet is sent over a USB to a GPRS card, which then sends the signal wirelessly to another user.

Barber et al. teach a wireless modem with GPRS capabilities (Column 2, lines 8-9, and 13) and that said modem could be connected to a computer via USB (Column 2, lines 2-3).

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At the time of the invention, it would have been obvious to one of ordinary skill in the art to connect the computer system disclosed in the admitted info through USB to the wireless modem taught in Barber et al. to send messages wirelessly over the modem's GPRS capabilities.

The motivation for doing so would have been to utilize the plug and play capabilities of the USB interface on a computer to create a wireless voice over IP or Internet Phone system which would allow the user to talk freely through his computer from anywhere.

- Claim 2 describes the opposite steps of step 1 and is therefore rejected using the same argument used to reject claim 1.
- Regarding claims 3-4, the admitted info discloses a microphone ([0004]) and speakers ([0004]).
- Regarding claim 7, the admitted info discloses all the limitations except that the GPRS card has an antenna.

Barber et al. teach a wireless modem with a GPRS card that has an antenna (Fig. 1, Ref. No. 110).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to connect the computer system disclosed in the admitted info to the wireless modem with antenna taught in Barber et al. to send messages wirelessly over the modem's GPRS capabilities.

The motivation for doing so would have been to utilize the plug and play capabilities of the USB interface on a computer to create a wireless voice over IP or

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Internet Phone system which would allow the user to talk freely through his computer from anywhere.

- Regarding claim 8, the admitted info discloses all the limitations except that GSM can be used.

Barber et al. teach GSM (Column 2, line 12).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to connect the computer system disclosed in the admitted info to the wireless modem taught in Barber et al. to send messages wirelessly over the modem's GSM capabilities.

The motivation for doing so would have been to utilize the plug and play capabilities of the USB interface on a computer to create a wireless voice over IP or Internet Phone system which would allow the user to talk freely through his computer from anywhere.

- Regarding claim 9, the admitted info discloses all the limitations except that GPRS card uses a CODEC to convert the voice signal to digital packets.

Barber et al. teach a CODEC on the GPRS modem (Fig. 1, Ref. No. 125).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to connect the computer system disclosed in the admitted info to the wireless modem taught in Barber et al.

The motivation for doing so would have been to utilize the plug and play capabilities of the USB interface on a computer to create a wireless voice over IP or

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Internet Phone system which would allow the user to talk freely through his computer from anywhere.

- Regarding claim 10, the admitted info discloses all the limitations except that a CPU is contained on the GPRS module to convert voice data to voice packets.

Barber et al. teach a CPU that converts voice data to voice packets (Fig. 1, Ref No. 170).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to connect the computer system disclosed in the admitted info to the wireless modem taught in Barber et al. to send messages wireless over the modem's GPRS capabilities.

The motivation for doing so would have been to utilize the plug and play capabilities of the USB interface on a computer to create a wireless voice over IP or Internet Phone system which would allow the user to talk freely through his computer from anywhere.

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted info in view of Barber et al., as applied to claim 1 above, and further in view of Owen et al. (US Patent No. 6,947,485 hereinafter, Owen et al.).

Regarding claims 5-6, the admitted info in view of Barber et al. discloses all the limitations except for PCM voice/data conversion.

Owen et al. teach a conversion technique that can handle audio/digital compression of PCM data (Column 5, line 60).

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At the time of the invention it would have been obvious to one of ordinary skill in the art to add the conversion methods taught in Owen et al. to the communications system disclosed in the admitted info in view of Barber et al. so that voice signals could be converted into PCM voice data and so that the PCM voice data could be converted back to an analog voice signal.

The motivation for doing so would be to allow for a variety of different protocols to be able to use the wireless Internet Phone/VoIP system.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. DeGrano whose telephone number is 571-270-1138. The examiner can normally be reached on Monday through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BD



WING CHAN  
SUPERVISORY PATENT EXAMINER